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Lead Counsel for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

)	MDL No. 09-2014 (JSW)
In re Bank of America Corp. Auction Rate)	
Securities Marketing Litigation)	
)	LEAD PLAINTIFFS' NOTICE OF
)	VOLUNTARY DISMISSAL WITHOUT
This Document Relates to:)	PREJUDICE PURSUANT TO FED. R.
)	CIV. P. 41(a)(1)
<i>Bondar v. Bank of America Corp., et al.</i>)	
)	Date: n/a
)	Time: n/a
No. C 08-2599 (JSW))	Before the Honorable Jeffrey S. White
)	

1 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Lead Plaintiffs N.R. Hamm
2 Quarry, Inc. and Ed O’Gara (collectively, “Lead Plaintiffs”) hereby give notice of their voluntary
3 dismissal of this action without prejudice.

4 In light of this voluntary dismissal without prejudice and in response to the Court’s December
5 16, 2011 order to show cause (Dkt. Nos. 179, 180), Plaintiffs believe that a status conference is not
6 necessary.

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8 Dated: January 4, 2012

Respectfully submitted,

9 **GIRARD GIBBS LLP**

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11 By: /s/ Jonathan K. Levine
Jonathan K. Levine

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16 **Lead Counsel for Plaintiffs**
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CERTIFICATE OF SERVICE

I, Jonathan K. Levine, hereby certify that on January 4, 2012, I caused the foregoing document to be filed electronically with the United States District Court for the Northern District of California's through the Court's mandated ECF service. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing.

I further certify that I caused this document to be forwarded to the following designated Internet site at: <http://securities.stanford.edu/>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of January, 2012 at San Francisco, California.

/s/ Jonathan K. Levine